

REMARKS

I. Status of Claims

Claims 1-9, 12, 14-30, 33, and 35-41 are currently pending in this application. Claim 41 has been withdrawn. Claims 1, 12, 20, 33, and 41 have been amended. Claims 10-11, 13, 31-32, and 34 have been cancelled. Support for the amendments to claims 1 and 20 can be found in original claims 11 and 32 respectively. Dependent claims 12 and 33 have been amended to correct their dependency in view of the cancellation of claims 10-11 and 31-32. Support for the amendment to claim 41 can be found in the original claims and throughout the specification (see *e.g.*, paragraph [043]). No new matter has been introduced by these amendments, nor do the amendments raise new issues or necessitate the undertaking of any additional search of the art by the Office. These amendments are made without prejudice or disclaimer, and Applicants expressly reserve the right to pursue the subject matter cancelled herein in a continuation application.

Applicants note that the Office has withdrawn the rejections under 35 U.S.C. § 112, second paragraph, and § 103(a) and thank the Office for considering their remarks.

II. Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 1-40 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. The Office asserts that the specification “does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make

and/or use the invention commensurate in scope with these claims.” (Office Action at p. 3.) The Office alleges that while the application is enabling for thioglycolates, it does not reasonably provide enablement for thiolactates, thioglycerols, thiocarboxylic acids, thioesters, thioamides, alkyl mercaptans, cytesines, etc. (See *id.*) Although Applicants disagree with the Office’s assertions, in an effort to advance prosecution, Applicants have amended the claims such that the “at least one reducing agent” is chosen from “thioglycolates,” thereby rendering the rejection moot as the Office has conceded that the application is enabling for thioglycolates (see Office Action at p. 3). Thus, Applicants respectfully request that the Office withdraw the rejection.

III. Restriction Requirement

In the February 3, 2004, Response to Restriction Requirement, Applicants elected with traverse Group I, directed to claims 1-40. In the event the Office finds the presently pending claims allowable, particularly in view of the present amendments, Applicants respectfully request that the Office rejoin claim 41, Group II. As explained by Applicants at page 2 of the Response to Restriction Requirement, the Office has not demonstrated that examining Groups I and II would constitute a serious burden nor has the Office demonstrated that such examination would require separate searches.

IV. Conclusion


In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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